



*Seasons Greetings*

**AND HAPPY NEW YEAR**

The Executive Board and Officers  
of The WIFLE Foundation, Inc.  
and Women in Federal Law  
Enforcement, Inc. Wish You a  
Safe and Happy Holiday Season.

**WIFLE**<sup>®</sup>

**Newsletter**

**December 2022**





## WOMEN IN FEDERAL LAW ENFORCEMENT

### MISSION

Our mission is to promote gender equity through education, training, research, scholarships, awards, and networking opportunities in partnership with federal law enforcement agencies, WIFLE members and WIFLE sponsors.

### VALUES

WIFLE values communication, collaboration and credibility as an effective leadership style while maintaining a commitment to high ethical standards.

### GOALS

- To assist federal agencies to recruit, retain, and train women in federal law enforcement.
- To identify federal agency barriers to hiring, promoting, and retaining women in the law enforcement professions.
- To monitor progress and recommend methods to hire, promote and retain women in federal law enforcement.
- To enhance the image of women in federal law enforcement in the communities we serve.
- To promote the value of communication, collaboration and credibility in leadership styles.
- To research issues affecting women in federal law enforcement and establish and maintain an information-sharing network.

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## **Message from Sheree L. Mixell**

**Interim President, WIFLE Foundation, Inc.**

**Interim Executive Director, WIFLE, Inc.**

Effective November 1, the WIFLE Board of Directors selected me to serve as Interim President of WIFLE Foundation, Inc. and Interim Executive Director, WIFLE, Inc.

As some of you may know, I am not a stranger to the WIFLE organizations. I have been with WIFLE in various capacities for over 25 years and currently serve as Chair of the Board of Directors of WIFLE, Inc. Previously, I served as Vice President/Deputy Executive Director for seven years, from 2013 to 2020. Also, I was a founding member of WIFLE.

My background experience includes 25 years of distinguished federal law enforcement service. In 2013, I retired from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as Special Agent in Charge of the Philadelphia Field Division, Senior Executive Service, and served on the ATF Director's Advisory Committee.

I am fully committed to leading the WIFLE organizations that promote gender equity by helping women and their agencies navigate the challenges of recruitment, hiring, promotion, retention and leadership training. WIFLE couldn't be as effective without the committed relationships and valued partnerships we maintain with federal, local and state law enforcement agencies. And, we owe much to the invaluable support of our amazing sponsors. As a result of our efforts, WIFLE is able to offer scholarships, national-level awards and recognitions, and networking opportunities.

We will remain a "hands-on" network to monitor federal law enforcement and offer researched and vetted solutions to enhance policies and update outmoded methods. We will guide and support women as they embrace their chosen professions with confidence, know-how and training. We will support women law enforcement professionals to excel to their fullest competency. We will remain committed partners to all federal law enforcement agencies.

I am honored to again be a part of the WIFLE leadership team. This year, I look forward to working with our WIFLE members and WIFLE Foundation Board, our generous sponsors, and all of our federal, local and state partners. WIFLE, with its unique components and partnerships, remains a critical and diversified network for law professionals as they keep our communities and our Nation safe and secure.

Until then, I hope you all enjoy the upcoming holiday season and have a happy and healthy New Year.

A handwritten signature in cursive script, reading "Sheree L. Mixell".

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**Women in Federal Law Enforcement Foundation, Inc. (WIFLE)  
Joins National Coalition to Advance Women in Law Enforcement**

**WIFLE proudly partners with the 30x30 Initiative's efforts to improve the representation and experiences of women in federal law enforcement, in furtherance of the President's Executive Order on Advancing Effective, Accountable Policing .**

The logo for the 30x30 Initiative. It consists of the text "30x30" in a white, bold, sans-serif font. The "x" is stylized with a yellow and orange gradient. The logo is set against a dark blue rectangular background.

**30x30**

Today, Women in Federal Law Enforcement (WIFLE) announced they are the latest organization to partner with the 30x30 Initiative – a national grassroots effort to improve the representation and experiences of women in law enforcement across the United States.

Originally designed to drive change in state and local law enforcement agencies, 30x30 recently expanded to engage federal law enforcement. This September, the U.S. Marshals Service became the first federal agency to sign the 30x30 Pledge – a series of low- and no-cost actions law enforcement agencies can take to address inherent bias, remove artificial barriers to hiring and promotion, and ensure the unique needs of women officers are met. U.S. Customs and Border Protection joined shortly thereafter, with an additional half dozen federal agencies in the process of joining. The activities help law enforcement agencies assess the current state of a department with regard to gender equity, identify factors that may be driving any disparities and develop and implement strategies and solutions to advance women in policing.

The 30x30 Initiative is a coalition of police leaders, researchers, and professional organizations who have joined together to advance the representation and experiences of women in all ranks of policing across the United States. The ultimate goal of the 30x30 Initiative is to reach 30 percent of women in police recruit classes by 2030, and to ensure policing agencies are truly representative of the jurisdiction the agency serves. While 30x30 is focused on advancing women in policing, these principles are applicable to all demographic diversity, not just gender.

While WIFLE has long been engaged in advancing women in federal law enforcement since the organization's inception in 1999, the 30x30 Initiative provides a unique opportunity to join a national coalition of advocates advancing the cause.

WIFLE is the only non-profit organization in the United States dedicated to identifying barriers to the recruitment, retention and promotion of women and recommending solutions to address the underrepresentation of women in Federal law enforcement. Particularly as federal law enforcement agencies seek to implement the President's Executive Order, including calls for increased diversity in recruitment, WIFLE is well poised to contribute to agency efforts and inform 30x30's engagement with federal law enforcement.

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“WIFLE has been a strong advocate for strengthening federal law enforcement operations by proactively citing the advantages that women bring to the profession. The goal of achieving gender equity and inclusion would undoubtedly change the face of policing for the better,” said Interim President Sheree Mixell – a retired Senior Executive Special Agent in Charge with the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

More than 240 state and local law enforcement agencies - from state agencies and major metro departments including the New York City Police Department, to mid-sized, rural, and university policing agencies – also have signed the 30x30 Pledge.

Currently, women make up only 12 percent of sworn officers and 3 percent of police leadership in the U.S. This underrepresentation of women in policing has significant public safety implications. Research suggests that women officers:

- Use less force and less excessive force
- Are named in fewer complaints and lawsuits
- Are perceived by communities as being more honest and compassionate
- See better outcomes for crime victims, especially in sexual assault cases

“We believe strongly that advancing women in law enforcement is critical to improving public safety outcomes for all communities,” said Maureen McGough, co-founder of the 30x30 Initiative, Chief of Strategic Initiatives of the Policing Project at the New York University School of Law, and former policing expert at the U.S. Department of Justice. “We look forward to working with and learning from WIFLE in our efforts to advance women in federal law enforcement and are grateful for their partnership.”

The logo for the 30x30 Initiative, featuring the text "30x30" in a large, bold, white font. The "x" is stylized with a yellow arrow pointing to the right. The background is a dark blue rectangle with a yellow arrow pointing to the right on the right side.

**30x30**

**ADVANCING WOMEN IN POLICING  
30% WOMEN RECRUITS BY 2030**

*As of 2021, women make up only 12% of sworn officers and 3% of police leadership in the U.S. We are proud to be a member of the @30x30initiative to increase the number of women recruits to 30% by 2030 and support women officers throughout their careers. Let's make it happen!*

*Today we join a coalition of policing leaders and other experts to #advancewomeninpolicing through the @30x30Initiative. We're looking forward to carrying out this critical work! #30x30Initiative*



# Excelsior University



**COMMUNITIES C.O.R.E.**  
Connections, Opportunities,  
Resources and Experiences

## Welcome to the Community Hub!

Hear from Daniel Pascoe Aguilar about this exciting community resource!



At Excelsior University, we believe that we are in the business of working with our students and community members to facilitate and support their opportunities for leadership growth and powerful contributions to the workplace and society. Unfortunately, many of our current societal challenges have become systemic and most of them seem to have come to a defining crossroads (think of global warming, social injustice, international relations, systemic poverty, and many others). Based on research, we know that our ability to respond to these systemic challenges lies in our capacity to leverage our diversity of backgrounds, experiences, perspectives, ideas, and skills, and to use them as strategic assets to our organizational, social, and governmental decision-making and performance.

In response, Excelsior University has created [identity/allyship and career rope teams](#) for the following five purposes:

- To level the plain and bring equity to the experience of underprivileged students and alums.
- To curate connections, opportunities, and resources based on the identities, allyships, and careers that matter to you, to community members, and to those you are interested in supporting.
- To further integrate the student experience, strategically linking the networks, experiences and support relevant to them, to you and to the community around you.
- To engage all community stakeholders in supporting the preparation of leaders (one of our most important societal endeavors).
- To offer you 365/24/7 access to connections, opportunities, and resources related to your interests, needs, and success, at your own time, place, and pace.

To learn more about Excelsior University and the benefits of being a partnership student, schedule a virtual meeting with your Partnership Manager, Robert Lyons, by emailing - [RLyons@excelsior.edu](mailto:RLyons@excelsior.edu)

For more information about Excelsior University and the partnership program, please contact the Partnership Admissions team (844-843-9296).

# WE CAN GIVE YOU NATIONWIDE COVERAGE



With three benefit plans designed to fit every need and budget, you can choose the coverage that matters most to you and your family.

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- **Standard Option** - The flexibility to get in and out-of-network care.

With the benefits and coverage, you need to stay healthy, like our Preferred provider network that includes:

- 96% of hospitals
- 95% of doctors
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- And you never need a referral to see a specialist.

It is also because we offer the coverage you need most, including:

- Free preventive care like your annual physical, flu shots, nutritional counseling and cancer screenings
- Two free virtual visits with Teladoc® so you can get treatment for minor injuries and illnesses, mental health support, dermatology care and more by phone or video
- Overseas coverage that keeps you protected when working or traveling outside the U.S.
- Wellness incentives that reward you for taking charge of your health.

For more information visit [www.fepblue.org](http://www.fepblue.org)

**Open Season: 11/14 – 12/12**

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## **CUSTOMS AND BORDER PROTECTION SIGNS ON TO INCREASE**

### **WOMEN IN FEDERAL LAW ENFORCEMENT**

As the largest federal law enforcement agency in the Nation, Customs and Border Protection (CBP) is in a position where its actions can provide a signpost for other agencies to follow. In a step towards greater diversity in the federal workforce, CBP is the most recent federal agency to commit to the 30x30 Initiative. Established as a result of a National Institute of Justice summit, the 30x30 Initiative aims to increase annual female law enforcement recruits within federal, local, and state agencies to 30% by 2030. According to the 30x30 Initiative, women make up just 12% of sworn officers and 3% of police leadership across the country in 2021, despite research showing that female law enforcement officers are less likely to use excessive force, are named in fewer complaints, and make fewer discretionary arrests overall.

Currently, over 200 state and local agencies have committed to the 30x30 Initiative. CBP is the second federal agency to take the pledge, following the U.S. Marshals Service (USMS) joining in September 2022. While USMS has reported that about one-third of its employees are female, only 14% of employees in investigative positions are female. "We know diversity brings value and more women in law enforcement will strengthen law enforcement and make us responsive to the diverse needs of our communities," said Ronald Davis, USMS director, in support of the 30x30 Initiative.

Maureen McGough, co-founder of the 30x30 Initiative, believes that including federal agencies in the initiative is a huge step for the progress of the program and hopes that additional federal agencies will follow USMS and CBP. CBP said that

committing to the 30x30 Initiative helps ensure that the agencies are more reflective of the people they serve and overall more inclusive working environments. As part of its pledge, CBP will share its progress with the 30x30 Initiative in an effort to develop best practices for recruiting female law enforcement officers and build out programs to address barriers to women's advancement in law enforcement.

As a long-time partner of WIFLE and the federal law enforcement community, FEDS Protection is proud to provide our members with peace of mind by fulfilling your professional liability insurance (PLI) needs and supporting you in every way possible. FEDS Protection offers policies with \$1 million, \$2 million, or \$3 million in civil liability protection for attorney's fees and indemnity costs in the event you are sued in your civil capacity for actions taken within the scope of your employment. Our policy also includes \$200,000 of legal representation coverage per incident for administrative actions and \$100,000 of coverage for criminal defense costs arising out of actions taken within the scope of your employment. LEOSA coverage for off-duty incidents is also available for qualified law enforcement officers. Additionally, federal law enforcement officers are eligible for a reimbursement of up to 50% of the cost of their PLI policy through their agency.

For more information about FEDS, visit [www.fedsprotection.com](http://www.fedsprotection.com) or call (866) 955-FEDS, M-F 8:30am-6pm to speak directly to a representative.

*\*This article is provided for informational purposes only and does not constitute legal advice.*



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### **YOUR RETIREMENT QUESTIONS**

*By Tammy Flanagan – RetireFederal.com*

Every issue of the WIFLE newsletter will provide answers to your retirement questions. Send your questions to [Tammy@retirefederal.com](mailto:Tammy@retirefederal.com) and be sure to add WIFLE Newsletter to the subject line of your email so that your question gets answered in the next issue! Tammy Flanagan is a federal retirement benefits subject matter expert who has been helping federal employees plan for retirement for more than 35 years. She has a special interest in federal law enforcement retirement benefits as she was employed in the Retirement Office of the Federal Bureau of Investigation in the 1980's and she is married to a retired federal officer. You can find out more about individual retirement counseling at [retirefederal.com](https://www.retirefederal.com).

**For this edition, Tammy will share the three things everyone must do during open season!**

As most of you know, the annual open season has already started and will run through midnight December 12 (ET). Most people don't do anything and with so many agencies not holding "in-person" health fairs, there is less attention than ever to this annual opportunity you have to evaluate your healthcare options and, in some cases, save some money at the same time! Where should you start? Here are three things that are a must for everyone (yes, even you!) to do before December 12th (maybe today!):

**1. Look at how your plan will change in 2023!** Consider the premiums, but also look at prescription formularies, network providers, deductibles, copayments, coinsurance, and catastrophic coverage. The front page of every [plan brochure](#) will provide references to the 2023 rates, changes for the new plan year, and a summary of benefits.

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Some prices are changing more than others; here are a few examples:

	Self Only			Self Plus One			Self and Family		
	Biweekly	Monthly	Monthly Change	Biweekly	Monthly	Monthly Change	Biweekly	Monthly	Monthly Change
BC/ BS Standard	\$142.40	\$308.53	+\$32.34	\$318.85	\$690.84	+\$63.35	\$347.89	\$753.77	+\$73.20
BC/ BS Basic	\$86.67	\$187.78	+\$14.05	\$217.90	\$472.12	+\$42.17	\$237.91	\$515.48	+\$55.52
Foreign Service Benefit Plan High	\$78.31	\$169.68	+11.10	\$199.29*	\$431.80*	+29.93	\$193.73*	\$419.74*	+\$27.46
GEHA High Option	\$105.74	\$229.10	+1.90	\$243.49	\$527.56	(-\$2.75)	\$304.39	\$659.52	+\$4.65
GEHA Standard Option Plan 314-	\$68.77	\$149.01	+\$13.24	\$147.87	\$320.39	+\$28.47	\$180.92	\$392.00	+\$34.83
GEHA HDHP 342-	\$183.28	397.11	+35.28	\$149.15	\$323.15	+\$28.71	\$183.28	\$397.11	+\$35.28
NALC High 321-323	\$102.98	\$223.12	+\$10.18	\$241.73*	\$523.75*	+\$15.00	\$211.30*	\$457.82*	+\$20.11
Aetna Advantage	\$57.69	\$125.00	\$0.00	\$126.92	\$275.00	\$0.00	\$152.88	\$331.25	\$0.00
Aetna HealthFund CDHP F51-F53	\$191.76	\$415.48	+\$75.36	\$458.71*	\$993.87*	+165.12	\$418.01*	\$905.69*	+\$164.54
Aetna HealthFund Value F54-F56	\$205.64	\$445.55	+\$80.55	\$484.21*	\$1,049.12*	+\$175.37	\$454.22*	\$984.15*	+\$177.46
Aetna HealthFund HDHP 224-226	\$124.58	\$269.92	(-\$23.86)	\$270.58*	\$586.26*	(-\$59.67)	\$236.27*	\$511.92*	(-\$62.38)

\*Self and Family is less expensive than Self Plus One for this plan.

\*\*Plan restricted to specific groups, check plan brochure



**2. Compare your options based on your age, health and family needs.** There are 271 plans and plan options for 2023. In your zip code, you may have 15 - 40 plans and plan options to choose from. To narrow down your choices to the top three or four, it is important to use one of the plan comparison programs:

- [Consumers' Checkbook: Guide to Federal Health Plans](#) Check to see if your agency provides access or sign up for \$20.95 for print edition and online access; \$16.95 print only or **\$13.95 online access (my favorite)**
- [OPM Plan Comparison](#) If you decide to enroll, change health plans or plan options, or change enrollment type, please visit the [Open Season](#) pages for information on submitting a change.
- Attend the [virtual health benefits fair](#) where you will find webinars, live chat sessions and links to most of your favorite plans. [Register here.](#)
- Consider the following as you narrow your options:
  - Are your providers in the network? It's always better to use in-network providers and for some plans, you must in order to have coverage.
  - Do you take prescription medications? Check the plan formularies, call the plan's toll-free number and compare out of pocket drug costs between the plans under consideration.
  - Are you eligible for Medicare? Check plans that offer incentives to enroll in Medicare A & B.
    - Some plans offer a health fund or Medicare Part B reimbursement (partial);
    - Look for plans that waive cost-sharing (deductibles, copayments, and coinsurance) and wrap-around Medicare, leaving you with \$0 out of pocket expense for covered services.
    - Hearing aid coverage
    - Skilled care benefits
    - Enhanced Medicare Advantage Options are now available in many FEHB plans that will provide even greater Medicare enrollment incentives, however, be sure that your providers will accept the plan and check the prescription benefits.
- Do the plans you are considering cover:
  - Dental (preventative as well as coverage for intermediate and major expenses)
  - Vision (some plans offer coverage for annual vision exam and some provide discounts and allowances for lenses, frames, and contacts.



- Alternative care such as massage therapy, chiropractic, and acupuncture
- Infertility treatment is covered by a handful of plans including Foreign Service Benefit Plan (open to Department of State Foreign Service and Civil Service; Department of Defense; Department of Homeland Security; USAID (Foreign Service and Civil Service); Foreign Commercial Service (Foreign Service and Civil Service); Foreign Agricultural Service (Foreign Service and Civil Service); CIA, NSA and other intelligence organizations; and to Executive Branch civilian employees assigned overseas or to U.S. possessions and territories; and the direct hire domestic employees assigned to support those activities).
- Although you can change plans regardless of having pre-existing conditions, be aware that some plans may provide more generous benefits for certain procedures and conditions.

**3. Consider FEDVIP and FSAFEDS which are also OPEN now.**

- Once you have decided on the plan for you and your family for 2023, now it is time to make a few more elections.
- Employees as well as annuitants should consider the need for supplemental dental and vision benefits through the [Federal Employees Dental and Vision Insurance Program](#) (FEDVIP). Use the tools to compare plans and options in your zip code.
- When you visit a provider who participates with both your FEHB plan and your FEDVIP plan, the FEHB plan will pay benefits first. The FEDVIP plan allowance will be the prevailing charge in these cases. You are responsible for the difference between the FEHB and FEDVIP benefit payments and the FEDVIP plan allowance.
- If you are an employee, have you set up your flexible spending account for 2023? With [FSAFEDS](#), you can save up to 30% on your eligible health care, prescription, dental, vision and child/adult daycare expenses. Actual amounts may vary, however, the 30% savings includes a combined tax rate, including FICA, state and federal income taxes. Actual amounts may vary.
- [HCFSA](#) A Health Care FSA (HCFSA) is a pre-tax benefit account that's used to pay for eligible medical, dental, and vision care expenses - those not covered by your insurance plan or elsewhere.
- You can contribute up to a maximum of \$3,050.00 for 2023. Keep in mind, you may carry over up to \$610.00 remaining in your account from one plan year to the next.
- With paperless reimbursement, you are automatically reimbursed for your eligible out-of-pocket expenses. There is little or no paperwork involved, and in many cases, you will receive your reimbursement before your bill is due.
- A new reimbursement option called "Pick and Process" gives you control over which medical, pharmacy, dental, and vision claims are paid using FSA dollars.



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- [Eligible expenses](#) include:
  - Medical expenses: co-pays, co-insurance, and deductibles
  - Dental expenses: exams, cleanings, X-rays, and braces
  - Vision expenses: exams, contact lenses and supplies, eyeglasses, and laser eye surgery
  - Professional services: physical therapy, chiropractor, and acupuncture
  - Prescription drugs, insulin, and prescribed over-the-counter medicine
  - Over-the-counter health care items: bandages, pregnancy test kits, blood pressure monitors, etc.
- [DCFSA](#) A Dependent Care FSA (DCFSA) is a pre-tax benefit account used to pay for eligible dependent care services, such as preschool, summer day camp, before or after school programs, and child or adult daycare.
- You can contribute up to a maximum of: \$2,500.00 per year if you are married and file a separate tax return or \$5,000.00 per year if you are married and file a joint tax return or if you file as single or head of household. If you and your spouse are both eligible to contribute to a Dependent Care FSA through your respective employers, you and your spouse may not each claim \$5,000.00.
- After the plan year ends on December 31, you have an additional 2 ½ months to incur eligible expenses and use the DCFSA funds remaining in your account. Claims for expenses incurred during the grace period must be submitted by April 30, the deadline for submitting claims from the previous plan year.
- You must contribute a minimum of \$100 / year to participate and to use the 2 ½ month grace period.
- [Eligible expenses](#) include:
  - Care for your child who is under age 13
  - Before and after school care
  - Babysitting and nanny expenses
  - Daycare, nursery school, and preschool
  - Summer day camp
  - Care for your spouse or a relative who is physically or mentally incapable of self-care and lives in your home
- [LEXFSA](#) If you're enrolled in an HSA-qualified high-deductible health plan and have a Health Savings Account (HSA), you can increase your savings with a Limited Expense Health Care FSA (LEX HCFS). This pre-tax benefit account helps you save on eligible out-of-pocket dental and vision care expenses while taking advantage of the long-term savings power of an HSA. Plus, if you re-enroll in FSAFEDS during Open Season, you can carry over up to \$610.00 remaining in your account from one plan year to the next, so there's no "use or lose" risk.

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# GEHA<sup>®</sup>

## HEALTHY HABITS FOR THE HOLIDAYS

The holidays can be a joyful time, offering a chance to reconnect with friends and family. However, for many people, it's also the time of the year when healthy habits slide off track. Goals and progress are often placed on hold until it's time for New Year's resolutions. While many people can refocus in January, others never regain the fitness ground they've lost or drop the pounds they've added.

This year, make a change by following these simple habits for healthy holidays.

**Create a plan** - Do you want more joy and less stress this season? It begins by planning for the holidays. And I don't know about you, but the older I get, the more I crave simplicity for the holidays. It's so easy to get caught up in the production of it all, the cards and the lights and the decorations and the presents and the parties and events to attend. Sometimes it can all feel like a bit much.

Know your spending limit. Lack of money is one of the biggest causes of stress during the holiday season. This year, set a budget, and don't spend more than you've planned. It's okay to tell your child that a certain toy costs too much. Don't buy gifts that you'll spend the rest of the year trying to pay off.

Share the tasks. You don't have to do everything yourself. Share your "to do" list with others. Spend time with friends and family while you share tasks like decorating, wrapping gifts, and preparing the holiday meal.

Learn to say no. It's okay to say "no" to events that aren't important to you. Saying "yes" when really you want to say "no" may seem like a good deed at the time. But in reality, you'll wind up feeling overwhelmed and guilty—some requests can just stretch you too thin. Know that it's ok if you can't take part in every holiday activity, and your friends and relatives will understand. Just be realistic. Start with small commitments to the things that are most meaningful to you.

**Eat wisely** - Focusing on maintaining your health goals doesn't have to mean going without any indulgences; it just means setting some limits. Whether it's a family favorite recipe or a visit to a hometown restaurant, the holiday season won't be the same without these special treats. Perhaps, give up something that is less enjoyable to allow for the most enjoyable treats. Rather than taking a spoon of everything at feasts

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and parties, be choosy and spend calories judiciously on the foods you love. If stuffing isn't your favorite, then leave it, making room for the foods you look forward to every year. Once planned for, indulgences should be enjoyed without guilt. *Slow down and savor every bite!*

**Keep moving** - It's hard enough to exercise during our normal routines but add holidays to the mix and many of us find exercise moving to the bottom of lengthy to-do lists. Staying active in some way will give you energy, help lessen holiday tension and, of course, help mitigate some of the extra calories you may be eating. According to the Physical Activity Guidelines for Americans from the Department of Health & Human Services, adults should do at least 150 minutes of moderate intensity aerobic activity per week.

There are many ways we can fit in physical activity without a formal exercise routine. There are the old standbys of parking your car further out, taking extra laps at the mall, and using the stairs whenever possible. In addition, you can use all that time prepping

holiday meals in the kitchen to throw in some squats, calf raises, and even dancing. If you're watching your favorite holiday movies and specials, do push-ups and crunches during commercial breaks. While everyone is sitting around watching football, do some wall sits, leg extensions, sit-ups, or push-ups. You might catch some raised eyebrows and jokes from the family, or you might inspire them to join along.

Airport delays can go by much quicker by walking through the concourse rather than sitting in the terminal waiting area. Some cold weather ideas include: sledding, snow shoeing, and ice skating. Other seasonal ideas include: caroling and walking through decorated neighborhoods.

Once the plan is in place, focus on the celebration with family and friends. That's what is truly important. And always remember the goal is *better, not perfect.*

***"The information contained herein is for informational and educational purposes only. This information is not a substitute for professional medical advice and if you have questions regarding a medical condition, regimen, or treatment you should always seek the advice of a qualified health care provider. Never disregard or delay seeking medical advice from a qualified medical professional because of information you have read herein."***

Sources: <https://healthbalance.geha.com>



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Peter J. Jeffrey, Esq., Member  
The Jeffrey Law Group, PLLC  
The Federal Employee's Law Firm®

**OPM PUBLISHES FINAL RULE TO IMPLEMENT PRESIDENT BIDEN'S  
RESCISSION OF TRUMP-ERA BAN ON "CLEAN RECORD" AGREEMENTS**

*By Peter J. Jeffrey, Esq., Member, The Jeffrey Law Group, PLLC*

Prior to President Donald J. Trump's May 25, 2018 issuance of Executive Order (E.O.) 13839, "clean record agreements" were very common in settlements of federal sector employee terminations. Those agreements generally required, in part, that an agency expunge any records of effectuated adverse action (e.g., termination) from the employee's official personnel folder (OPF) and replace those records with an SF-50 reflecting the employee's voluntary resignation for personal reasons. The agency would then be further obligated to give only a neutral reference to prospective new employers.

Likewise, the U.S. Merit Systems Protection Board (MSPB) and the Federal Circuit Court of Appeals had upheld a broad policy of nondisclosure on the part of the agency regarding those clean record agreements. Generally, the agency could not disclose anything about the rescinded adverse action to prospective employers and could only represent the information that was reflected on the official, "clean" SF-50. In addition, the MSPB had held that a clean record agreement includes an implied provision requiring the agency not to disclose information to third parties even if such provision is not expressly stated. *See Doe v. Dep't of the Army*, 116 MSPR 160 (2011).





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Nevertheless, that broad rule of nondisclosure was subject to an important public policy exception. Specifically, where there existed a public interest in disclosure that outweighed the employee's interest in enforcement of the settlement agreement, then the agency could disclose that information. *See Gizzarelli v. Dep't of the Army*, 90 MSPR 269 (2001). That public policy exception also applied to background investigations for security clearances and *Giglio* reviews. *See Cunningham v. OPM*, 110 MSPR 398 (2009); *see also Davis v. Dep't of the Treasury*, 306 Fed. Appx. 596, 599 (Fed. Cir. 2009). However, misconduct or performance-based issues were not covered by this public policy exception. *See Cunningham v. OPM*, 110 MSPR 398 (2009).

However, E.O. 13839 stripped agencies of any authority to settle complaints, grievances, or appeals of adverse actions with "clean record agreements." As expressly stated in Section 5, of E.O. 13839:

Agencies shall not agree to erase, remove, alter, or withhold from another agency any information about a civilian employee's performance or conduct in that employee's official personnel records, including an employee's Official Personnel Folder and Employee Performance File, as part of, or as a condition to, resolving a formal or informal complaint by the employee or settling an administrative challenge to an adverse personnel action.

E.O. 13839 (Jun. 1, 2018). In practical terms, that meant that a terminated federal employee had to litigate her removal to the end of the MSPB or EEOC process and have that adjudicative body find in her favor to have that removal expunged from her official personnel record. Moreover, a retirement eligible federal employee ran the risk of losing continuation of Federal Employee Health Benefits (FEHP) into retirement if she waited for the agency to render a decision on a proposed removal. Because, if the agency sustained that proposed removal, E.O. 13839 barred the agency from agreeing to rescind that removal and allow the employee to retroactively retire on an immediate annuity.

On January 22, 2021, President Joseph Biden issued [Executive Order \(E.O.\) 14003](#) revoking, in part, President Trump's ban on clean record agreements. *See* [E.O. 14003 \(Jan. 27, 2021\)](#). However, despite President Biden's order that agencies "as soon as practicable, suspend, revise, or rescind, or publish for notice and comment proposed rules suspending, revising, or rescinding, the actions" implementing various E.O.s, including E.O. 13839, "as appropriate and consistent with applicable law," the U.S. Office of Personnel Management did not publish its [Final Rule](#) implementing [E.O. 14003](#) until November 10, 2022, (*i.e.*, 1 year, 9 months, and 19 days later). *See* [87 FR 67765](#). **The good news is that effective December 12, 2022, there is no question that agencies may now once again agree to "clean records" to settle matters before the MSPB and EEOC.**

*The information contained in this article is of a general nature and is subject to change; it is not meant to serve as legal advice in any particular situation. For specific legal advice, the authors recommend you consult a licensed attorney who is knowledgeable about the area of law in question.*



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Everyone is touched by cancer in some way. The good news is that a healthy lifestyle can reduce your risk for developing certain cancers — and screenings and early detection help save countless lives every year.

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### Boost immunity with a healthy diet

Eating mostly plant-based foods lowers your risk for many types of cancer. A diet rich in fruits and veggies can also help you stay at a healthy weight. Being overweight or obese can raise your risk for certain types of cancer.

### Let go of unhealthy habits

Smoking and heavy drinking are well known to raise your risk for cancer — along with other health problems. If you smoke, quit. And if you drink alcohol, cap it at 2 drinks a day for men, and 1 drink a day for women.

Visit [kp.org/cancercare](https://kp.org/cancercare).

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## Your Federal Benefits Explained

by Sandra K. Harman  
President, Harman & Associates, Inc.

### **FEDERAL EMPLOYEE YEAR-END CHECKLIST**

#### **Review and update your beneficiary designations.**

Federal employees have four separate forms that control to whom specific assets will be paid:

- |         |   |
|---------|---|
| SF-2823 | FEGLI   |
| SF-1152 | for any money the government owes you if you die while employed (final pay, lump-sum leave payment, etc.)             |
| SF-3102 | for the money you have paid into the FERS retirement fund which you haven't recovered assuming there are no survivors |
| TSP-3   | for your TSP account.   |

There are also numerous other designation of beneficiary forms which apply to bank accounts, investment accounts, outside life insurance policies, etc.

Any asset for which you can designate a beneficiary avoids probate. What your will says doesn't apply.

It is recommended that you make a record of your beneficiaries along with the date of any updates. Be sure to name a contingent beneficiary in case your primary beneficiary passes away. Make sure you review your beneficiaries frequently.

#### **Review Your Tax Withholdings**

Even if you haven't had a major event in your life – such as marriage, divorce, or adding a family member – you may need to adjust your federal and state withholdings. The amounts on which taxes are withheld change and even minor changes to your salary could warrant an adjustment.

Check out the Tax Withholding Estimator from the IRS. It is a handy tool for anyone who wants to tailor how much income tax to withhold.

#### **Review Your Insurance Needs**

There are numerous types of insurance – health insurance, life insurance, homeowners insurance, auto insurance and personal liability insurance. It is important to reevaluate your insurance policies routinely to assure that you are properly insured and not paying too much.



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### **Reviewing Your Homeowners Insurance**

Homeowners insurance rates fluctuate due to natural disasters and other variables. In 2021 there were 18 weather-related disaster events in the U.S. that each exceeded \$1 billion in damages.

Increasing your deductible can save you money. According to Consumer Reports increasing your deductible from \$500 to \$1,000 could save you 25 percent in your premium. Another practical way to lower your premium is to bundle your home and auto insurance which could save you up to 30 percent total.

Reevaluate your possessions and the current replacement value of your home to be sure you have adequate coverage.

### **Review Your Auto Insurance**

Review the types of coverage your state requires and read up on potential rates and discounts or work with a professional to get an affordable rate.

When determining how much you should pay for your premium, car insurance companies factor in your age, driving record, the type of vehicle you drive, credit score and where you live. However, that doesn't mean you can't do things to help lower your car insurance costs.

One way is to raise your deductible. Additionally, if your car is paid off but you still have full coverage, now is the time to review your coverage and get quotes from three different companies.

Find out if you can be rewarded for your good driving record, your car's anti-theft devices and safety features. Update with your insurance company the number of miles you drive each year, sign up for a driver-monitored savings or take a certified defensive driving course. Also consider using the same insurance company for you auto and homeowners.

### **Review Your Investments (Both TSP and Outside Investments)**

Your portfolio should reflect investment objectives that are appropriate for your current life stage, your age, risk tolerance, tax status, time horizon and goals.

### **Spend Eligible Flex Dollars**

An HCFSAs can save you money (it is pre-Federal, State, Social Security and Medicare tax). You can carry over from 2022 to 2023 \$570 but you must sign up for Plan Year 2023 in order to use the carry over amount.

### **Check in on Your Emergency Fund**

Ideally everyone would have three to six months' worth of emergency savings. It's hard to live in an ideal world. Remember that an unexpected emergency, car repairs, major appliance repair or other circumstance could set you back financially. To help ensure an adequate emergency fund, build up your savings by automatically depositing some money each paycheck into a dedicated account.

### **If you have children contribute to their college fund.**

Don't forget 529 plans and Coverdell Education Savings Accounts. The IRS has an informative publication "Tax Benefits for Education," Publication 970. It addresses:

- Scholarships,
- Fellowships,
- Grants and Tuition Reductions,
- American Opportunity Credits,



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- Lifetime Learning Credits,
- Student Loan Interest Deductions,
- Student Loan Cancellations and Prepayment Assistance,
- Tuition and Fee Deductions, Coverdell Education Savings Accounts,
- Qualified Tuition Programs,
- Education Exception to Additional Tax on Early IRA Distributions, and Education Savings Bond Programs.

### Get Ready for Tax Time

Prepare now for tax season.

#### Tip 1: Gather all required forms.

Collecting your tax documents is an important first step to filing your tax returns. These records include W-2s, 1099s, receipts, canceled checks and other income documents. [Understand what forms you may need](#) and access them online from the Internal Revenue Service (IRS), order over the phone or receive them in your community at locations like post offices and libraries.

#### Tip 2: File online with ease.

The IRS gives you the helpful tools to file your taxes online. You can also receive your refund faster by signing up for direct deposit. [Access the IRS Free File tool](#) to see if you can start your tax return electronically

#### Tip 3: Report benefits you've received.

Millions of people received unemployment benefits because of the pandemic. These benefits are taxable and must be included in your federal tax return. However, [Economic Impact Payments, also known informally as stimulus checks, are not taxable](#) and don't need to be included in your gross income.

#### Tip 4: Know the Taxpayer Bill of Rights.

As a taxpayer, you have rights when dealing with the IRS. [Keep the Taxpayer Bill of Rights](#) in mind when you begin to file. You are entitled to things like your privacy, confidentiality and never paying more than the correct amount of tax.

#### Tip 5: Understand where to go if you need more help with your taxes.

Find answers to your questions about state-specific taxes, when you can receive your refund, navigating recent tax law changes, and more with these helpful resources:

[Engage with the Taxpayer Advocate Service](#) to understand and navigate the tax system.

[Subscribe to tax tips](#) directly from the experts at the IRS. You can also [explore IRS.gov](#) for resources in multiple languages, topics in the news, and how-to guides.

[Use the Interactive Tax Assistant](#) to find answers specific to your circumstances.

[Visit USA.gov to find answers to your top questions throughout the 2022 tax season.](#) USA.gov leads people to official information on everything from IRS scam prevention to small business taxes and incentives to filing for the first time.

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## **REPORT OFFERS NEW INSIGHTS INTO CLOSING FEDERAL GENDER GAP AS U.S. MARSHALS SERVICE SIGNS ON TO 30x30 INITIATIVE**

*This article was originally published in the [FEDagent](#) newsletter: a free weekly newsletter for the federal law enforcement community.*

The view on how women leaders see themselves and their surroundings may be the key to closing the gender gap in the federal government workforce. That's according to a [new report](#) from the Partnership for Public Service, which is studying the issue in its LeadHERship series. For women in law enforcement, special attention has been driven toward bridging gender gaps in recent years. This data may be particularly useful in these efforts.

For the project, researchers asked federal leaders and their colleagues how they view themselves to gain insight into why the gender gap continues to exist. According to [FedScope data](#), women made up just 39% of the Senior Executive Service (SES) through June of 2022 .

Author Nadzeya Shutava wanted to explore why the gender gap was persisting, even though the Partnership's [first report](#) found that women overwhelmingly scored higher than their male counterparts on the leadership metrics of the Public Service Leadership 360 assessment tool, which was administered to over 2,000 federal leaders.

The Partnership explored the concept of self-efficacy, which it measured through its core leadership value of self-awareness. The data found that "women perceive their own performance and leadership skills less favorably than others perceive

them." In fact, others rated women higher than they rated themselves on all the core competencies: becoming self-aware, engaging others, leading change, and achieving results—and its two core values—stewardship of public trust and commitment to public good.

And while men also rated themselves lower than their peers rated them, the survey found that women are also less likely to use the word "confident" when describing themselves.

Women also expressed feelings of not belonging, which could be broadly classified under "imposter syndrome." Women told researchers that there were times when they felt the "difficulty of often being the only woman in the room," and "being talked over by male colleagues."

With these findings, Shutava [writes](#), "It seems that the gender gap in federal leadership positions stems less from women's underwhelming performance in those roles and more from a system and society that has historically favored and celebrated men leaders. "She called for a series of remedies needed to bring "collective and structural change in how women are treated and recognized in the workplace."

The report recommends that women develop self-awareness. "Developing self-awareness would lead women to recognize their own strengths more

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readily and accurately, and professionally develop around them.”

It recommends that women be aware of structural barriers and recognize that the work environment—and not their own knowledge or competence—may be holding them back.

The report also recommends that more women share and celebrate success stories of other women leaders to inspire a new generation.

As the report says, “By celebrating successful women leaders, we can celebrate diversity and normalize the notion of women leaders in government more broadly.”

On the law enforcement side, recent attention has been given to bridging gender gaps. NYU School of Law’s Policing Project and the National Association of Women Law Enforcement Executives launched the 30x30 Initiative aimed at addressing the underrepresentation of women in law enforcement.

According to the [Project](#), women only currently make up 12 percent of all sworn officers and 3 percent of police leadership. At the Department of

Justice, women make up just 16 percent of all criminal investigators. The initiative hopes to increase representation of women in policy recruit classes to 30 percent by 2030.

Most recently, the U.S. Marshals Service [signed](#) on to the initiative. This made the Marshals Service the first federal law enforcement agency and the 200th law enforcement organization overall to sign the 30x30 pledge.

In a release announcing the decision, U.S. Marshal Service Director Ronald Davis said, ““We know diversity brings value and more women in law enforcement will strengthen law enforcement and make us responsive to the diverse needs of our communities. We look forward to this collaboration that will help us improve our organization and better equip us to respond to the challenges of the future.”

Since the U.S. Marshals Service signed on, U.S. Customs and Border Protection also joined the 30x30 Initiative.

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## **THE REAL OATH KEEPERS TO THE U.S. CONSTITUTION ARE A-LOYAL**

*By June Werdlow Rogers, PhD; Retired DEA Special Agent in Charge*



First they came for the Director of the FBI (Federal Bureau of Investigation), and I thought “*not me, not my problem.*” Then they came for Justice Department employees sharing intimate text messages and I thought “*not me, not my problem.*” One by one, more women and men in federal law enforcement became casualties of political war and I thought once again, “*not me, not my problem.*” Then they came for me, and I realized it was indeed “my problem.”

You will note my opening is analogous to the famous quote accessible on the [US Holocaust Museum website](#) by Martin Niemöller. Just like the message from the quote, apathy is dangerous. That’s because when society fails to act against atrocities, it can become the norm. But what realistically can be done

that falls within the standards of conduct of one’s agency when faced with political attacks?

Indeed there are limitations. For one, there’s the Hatch Act for which attorneys in partnership with WIFLE frequently provide guidance. (See previous newsletters). Still, there are options you may exercise within the law. I admit, many of them can be perilous. For example, I neither sign petitions, nor engage in protests. My concern is that while I may hold similar viewpoints as petitioners and protestors, if they engage in offensive or illegal actions, it can sully my reputation – or worse cause me to face prosecution and incarceration. (And this sister is not trying to go to prison!) Consider, for example, the many law enforcement officers’ affiliation with the Oath Keepers organization. Or what about the peaceful protest that turned into a riotous insurrection on January 6, 2021?

As investigators, you know everyone is not who they claim to be. I think the Oath Keepers organization is one such group. Throughout my career I occasionally encountered their recruitment propaganda. They tried coming across as supporting the constitution, while simultaneously suggesting there would come a time when as a law enforcement officer you should defy an order -namely “the unlawful order” which would defy the constitution. While I’m giving more analysis to their rhetoric here, what mostly turned me off back then was: One, the absolutely weird and creepy background music they played seemingly to pull on my fierce patriotism strings (it didn’t); and two, who was going to make the call? As an independent thinker, I was not interested in signing up for someone to *activate* me for a rebellion based on their interpretation. Considering recent outcomes, such as arrests, prosecutions, and guilty pleas, it is indisputable that the Oath Keepers organization is decidedly disloyal to the U.S. Constitution.

I submit that people who are real oath keepers to the real U.S. Constitution are “a-loyal.” Arguing refusal to support a corrupt leader is not disloyalty, in “the Rhetoric of Personal Loyalty to Superiors in Criminal Justice Agencies,” Souryal and Diamond coined the term a-loyal (Stojkovic, et. al, 2004, Chapter 16, p.



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335-336). I agree with the authors that law enforcement officers should aim for loyalty to higher obligations than exclusively to leaders. Keeping the oath you pledged to the U.S. Constitution against all enemies, foreign or domestic qualifies you as one who is “a-loyal.”

In conclusion, I ask that you reflect on the outcomes of some of those who were fired or forced out of their federal positions on the grounds of being “disloyal.” You will find those whose conduct more closely resembled “a-loyal” are the true Oath Keepers, and they fared better than others. At the very least they can look at themselves in the mirror without regret.

Be on guard! People and organizations continue efforts to get you to serve personal or political agendas directly opposed to the interests of the United States. Consider that, right now unfolding are the results of loyalty tests administered to Secret Service agents during the insurrection on January 6, 2020. How will it turn out?

While we lack answers that may be buried in tons of deleted texts, only you can determine how things will turn out for you. As a woman in law enforcement, you can honor your oath and do the right thing! Remember, we are here for you and have many resources available to help!

Happy Holidays!

Stojkovic, S., Klofas, J., & Kalinich, D. (2004). The administration and management of Criminal Justice Organizations: A book of readings. Waveland Press.

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## **WIFLE VOICES: LIFE MEMBER CHRISTOPHER DURANT**



Christopher Durant is currently the Director of Administration and National Recruitment for the Federal Law Enforcement Officers Association (FLEOA). He has been a FLEOA member since 2014, and since then he has been actively involved and participating in carrying out FLEOA's mission and serving its 30,000 members.

He recently served as the Interim President of FLEOA's Miami chapter 14, previously serving as the chapter's Vice President for four years while assisting the FLEOA Foundation with national fundraising efforts and chapter events in support of the families of our colleagues who have made the ultimate sacrifice in our service. Having also served on the FLEOA Legislative and Legal Committees, Chris has assisted with successfully soliciting support from Congressional leaders for the benefit of all federal law enforcement officers.

Chris started his federal law enforcement career in 1996 with DEA, and has been an HSI Special Agent for 21 years. He has served as the HSI Assistant Attaché in Hamburg, Germany, and have represented HSI on the Joint Terrorism Task Force, HIDTA Groups and both Border Enforcement Security Task Force groups in South Florida.

Throughout his career Chris has been involved in numerous domestic and international investigations, liaising with all the major federal agencies and many foreign law enforcement agencies. His experiences have afforded him the opportunity to develop a broad understanding of law enforcement personnel concerns and the value of minority representation in law enforcement.

Personally, and through FLEOA's advocacy, Chris has always been an avid supporter of female law enforcement officers, and recently became a lifetime member of Women in Federal Law Enforcement (WIFLE). Knowing that women bring unique and invaluable skillsets to all levels of law enforcement, Chris also believes that the future success of law enforcement efforts and solutions to challenges are best accomplished with the increased involvement of women.

Chris has a Bachelor of Arts degree in Chemistry from Florida International University, and is also a member of the International Police Association (IPA) the National Organization of Black Law Enforcement Executives (NOBLE), and the Hispanic American Police Command Association (HAPCOA).

At the WIFLE Julie Y. Cross Golf® event in October, Chris and WIFLE executives discussed working together on areas of mutual interest, legislative issues for collaboration between FLEOA and WIFLE, and talked about artificial barriers which prevent women from federal law enforcement positions.



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SA Durant is WIFLE's second male Life member. Our first was Treasury Under Secretary Ronald K. Noble who joined WIFLE August 1, 1999. At the time, Under Secretary Noble oversaw four of the US's largest law enforcement agencies, including the US Secret Service, the US Customs Service, the Financial Crimes Enforcement Network, the Bureau of Alcohol, Tobacco and Firearms and the Internal Revenue Service's Criminal Investigation Division. He is a fully tenured Professor at New York University. Under the leadership of Janet Reno, Attorney General, Louis Freeh, Director FBI, and Raymond Kelly, Commissioner of Police NYPD, Ron was backed by the White House and was elected by the Interpol member countries as Secretary General. He was the first American, the youngest individual, the first non-European and the first non-White to be elected in Interpol's history. He also became the first official to visit all of the Interpol member countries. He was re-elected 3 more times, then in 2014, returned to the New York University School of Law as a tenured professor. Mr. Noble and his family are currently living in Dubai, UAE, where he founded [RKN Global](#), an international global consulting firm.

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